

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

KEITH A. WARREN,  
Plaintiff,  
v.  
NEVADA DEPARTMENT OF  
CORRECTIONS, *et al.*,  
Defendants.

Case No. 3:17-cv-00228-MMD-WGC  
ORDER

11       Pro se Plaintiff Keith Warren filed a civil rights complaint under 42 U.S.C. § 1983.  
12 (ECF No. 49.) Before the Court is the Report and Recommendation (“R&R” or  
13 “Recommendation”) of United States Magistrate Judge William G. Cobb (ECF No. 220),  
14 recommending that Warren’s motion for a temporary restraining order (ECF No. 133) be  
15 denied. Warren had until June 9, 2021, to file an objection. To date, no objection to the  
16 R&R has been filed. For this reason, and as explained below, the Court adopts Judge  
17 Cobb’s R&R and will deny Warren’s motion.

18        The Court “may accept, reject, or modify, in whole or in part, the findings or  
19 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party  
20 fails to object to a magistrate judge’s recommendation, the Court is not required to  
21 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas*  
22 *v. Arn*, 474 U.S. 140, 149 (1985); see also *United States v. Reyna-Tapia*, 328 F.3d 1114,  
23 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and  
24 recommendations is required if, but *only* if, one or both parties file objections to the  
25 findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory  
26 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no  
27 clear error on the face of the record in order to accept the recommendation.”).

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1 Because there is no objection, the Court need not conduct *de novo* review, and is  
2 satisfied Judge Cobb did not clearly err. Here, Judge Cobb recommends that Warren's  
3 motion be denied because Warren has failed to address the likelihood of success on the  
4 merits of his retaliation claims, and he has not established that he is likely to suffer  
5 irreparable harm. (ECF No. 220 at 5-6.) The Court agrees with Judge Cobb and finds that  
6 Warren has not met his burden in seeking injunctive relief. Having reviewed the R&R and  
7 the record in this case, the Court will adopt the R&R in full.

8 It is therefore ordered that Judge Cobb's Report and Recommendation (ECF No.  
9 220) is accepted and adopted in full.

10 It is further ordered that Plaintiff Keith Warren's motion for a temporary restraining  
11 order (ECF No. 133) is denied.

12 DATED THIS 15<sup>th</sup> Day of June 2021.

  
MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE